



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,561	03/17/2006	Volker Albert	32860-001013/US	5055
30596 7590 11/04/2008 HARNES, DICKEY & PIERCE, P.L.C. P.O.BOX 8910 RESTON, VA 20195				
EXAMINER				
OLSON, LARS A				
ART UNIT		PAPER NUMBER		
3617				
MAIL DATE		DELIVERY MODE		
11/04/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/572,561

Applicant(s)

ALBERT ET AL.

Examiner

Lars A. Olson

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,5-8,12,13,15 and 17 is/are rejected.
- 7) ☒ Claim(s) 2-4,9-11,14 and 16 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

1. An amendment was received from the applicant on August 15, 2008.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5-8, 12, 13, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karasek (US 6,250,231) in view of Koch et al. (US 5,487,555).

Karasek discloses a connection between two parts of an articulated vehicle, as shown in Figures 1-3, said articulated vehicle being comprised of at least two carriages, defined as Parts #1 and 10, that are coupled by upper and lower articulated connections, as shown in Figure 1, that permit turning movements about a vertical axis, where at least one upper articulated connection is configured to carry out pitching movements about a transverse axis when traveling through a depression, as shown in Figure 1.

Karasek, as set forth above, discloses all of the features claimed except for the use of an articulated connection that includes a connecting element that is connected to said at least two carriages in order to permit pivoting and rolling movements about a longitudinal axis.

Koch et al. discloses a hinge connection between two parts of an articulated vehicle, as shown in Figures 1-7b, that includes an articulated connection that includes a connecting element, as shown in Figure 5, that is connected to at least two carriages, defined as Parts #1 and 2, of said articulated vehicle in order to permit pivoting and rolling movements about a longitudinal axis, defined as Part #10, as described in lines 37-57 of column 8. Said rolling movements are limited by a component, defined as Parts #37 and 38, that function as a stop, as shown in Figure 5.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to utilize an articulated connection with a connecting element that permits pivoting and rolling movements about a longitudinal axis, as taught by Koch et al., in combination with the connection for an articulated vehicle as disclosed by Karasek for the purpose of providing an articulated connection for a vehicle that allows for adjustment around a vertical, transverse and a longitudinal axis.

Allowable Subject Matter

4. Claims 2-4, 9-11, 14 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 5-8, 12, 13, 15 and 17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (571) 272-6685.

lo

November 3, 2008

/Lars A Olson/

Primary Examiner, Art Unit 3617